

Open

Licensing and Environmental Committee

Agenda

10.30am
Monday, 13th June 2016
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Licensing and Environmental Committee

Members of Committee:

Chairman: Councillor J A Hart
Vice-Chairman: Councillor J Baker

Councillor J Aston

Councillor R Bishop

Councillor J R Desmond

Councillor V Higgs

Councillor F M Oborski MBE

Councillor M Rayner

Councillor J D Smith

Councillor B J Vale

Councillor R Wilson

Councillor G C Yarranton

Information for Members of the Public:

Part I of the Agenda includes items for discussion in public. You have the right to request to inspect copies of Minutes and reports on this Agenda as well as the background documents used in the preparation of these reports.

Part II of the Agenda (if applicable) deals with items of "Exempt Information" for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.

Declaration of Interests by Members – interests of members in contracts and other matters

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct ("the Code") requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members' Code of Conduct as set out in Section 14 of this constitution for full details.

Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)

DPI's and ODI's are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council's Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

For further information:

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Louisa Bright, Principal Committee and Member Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732763 or email louisa.bright@wyreforestdc.gov.uk

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If members of the public do not wish to have their image captured they should sit in the Stourport and Bewdley Room where they can still view the meeting.

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If you have any queries regarding this, please speak with the Council's Legal Officer at the meeting.

* Unless there are no reports in the open session

Wyre Forest District Council

Licensing and Environmental Committee

Monday, 13th June 2016

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Apologies for Absence	
2.	Appointment of Substitute Members To receive the name of any Councillor who is to act as a substitute, together with the name of the Councillor for whom he/she is acting.	
3.	Declarations of Interests by Members In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered. Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
4.	Minutes To confirm as a correct record the Minutes of the meeting held on the 8 th February 2016.	6
5.	Licensing Act 2003 Powers To receive a verbal update from the Senior Practitioner – Licensing Worcestershire Regulatory Services on the application of, and the Council's powers which are contained within, the Licensing Act 2003 in respect of a recent incident which has been alleged to have taken place in a licensed premises in Kidderminster.	
6.	To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	

7.	<p>Exclusion of the Press and Public</p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in the paragraph 1 of Part 1 of Schedule 12A to the Act”.</p>	
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Part 2

Not open to the Press and Public

8.	<p>Application for the Grant of a Hackney Carriage Private Hire Driver’s Licence</p> <p>To receive a report from the Director of Economic Prosperity and Place that asks the Committee to consider an application for the grant of a Hackney Carriage Private Hire Driver’s Licence.</p>	-
9.	<p>To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</p>	

WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

8TH FEBRUARY 2016 (10.30AM)

Present:

Councillors: J A Hart (Chairman), J Baker (Vice-Chairman), G W Ballinger, R Bishop, J R Desmond, J Greener, N Knowles, F M Oborski MBE, C Rogers, J D Smith and G C Yarranton.

Observers:

There were no members present as observers.

LIC.21 Apologies for Absence

Apologies for absence were received from Councillor J Aston.

LIC.22 Appointment of Substitutes

No substitutes were appointed.

LIC.23 Declaration of Interests

No declarations of interest were made.

LIC.24 Minutes

Decision: The minutes of the meeting held on 7th December 2015 be confirmed as a correct record and signed by the Chairman.

LIC.25 Exclusion of the Press and Public

Decision: Under Section 100A(4) of the Local Government Act, 1972 the press and public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of "Exempt Information" as defined in paragraphs 7 of Part I of Schedule 12A of the Act.

LIC.26 To Consider Notice of a Conviction at Worcester Crown Court in the Name of an Existing Hackney Carriage Private Hire Driver's Licence Holder

The Committee received a report from the Director of Economic Prosperity and Place which asked Members to consider notification of a conviction at Worcester Crown Court in the name of an existing Hackney Carriage/Private Hire Driver's Licence holder under section 61 of the Local Government (Miscellaneous Provisions) Act 1976.

The Senior Licensing Practitioner for Worcestershire Regulatory Services (WRS) led Members through the exempt report and appendices which set out the key issues relating to the conviction.

Members were advised that at the time of writing the report the licence holder had not yet been sentenced, however the Senior Licensing Practitioner reported that information had been received which stated that the licence holder had received a 10 month prison sentence and that may have been the reason why he had not attended the Committee meeting.

The Senior Practitioner – Licensing left the meeting at this point, (10.42am), for Members to deliberate their decision. The Solicitor and the Principal Committee and Member Services Officer stayed in the meeting whilst the Committee reached their decision. The Senior Practitioner – Licensing returned to the meeting for the Solicitor to read out the unanimous decision of the Committee.

Decision:

Having carefully considered the report to the Committee made pursuant to section 61 of the Local Government (Miscellaneous Provisions) Act 1976 in relation to the Licence holder’s Hackney Carriage/Private Hire Driver’s Licence the Committee has decided that the Licence holder’s Hackney Carriage/Private Hire Driver’s Licence be revoked, in accordance with the powers set out in section 61 of the Local Government (Miscellaneous Provisions) Act 1976, on the grounds that the Licence holder had been convicted of an offence of dishonesty against, who in the opinion of the Committee was, a vulnerable person whilst acting as a taxi driver and did not appear to the Committee, with due consideration of the Council’s “Guidelines relating to the Relevance of Convictions”, to be “a fit and proper person” to hold such a Licence in light of the Licence holder’s conviction dated 15 December 2015 for theft (from another person).

There being no further business, the meeting ended at 10.48am.